

PORTLAND HARBOR

SUPERFUND SITE

Public Comment- Audience

TRANSCRIPT OF PROCEEDINGS

JULY 20, 2016

Evening Session

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HEARING OFFICER: I want to thank you all

3

very much for taking the time to come to the meeting

4

tonight.

5

On behalf of the U.S. Environmental

6

Protection Agency, I welcome you to the official

7

public comment portion of today's meeting.

8

My name is Kay Morrison, I'm with the U.S.

9

Environmental Protection Agency, the Seattle office.

10

And I'm going to be serving as your Hearing Officer

11

tonight.

12

It's my responsibility to ensure that the

13

hearing is run properly, and that those of you who

14

have signed up to provide two minutes of oral

15

comments have the opportunity to do so.

16

Our court reporter, Cheryl, will be

17

recording the proceedings for this hearing, and it's

18

important to make sure that you speak clearly and

19

slowly so that we can capture your comments on the

20

official record. We're using Martha to run -- to

21

help run this hearing efficiently to allow as many

22

comments as possible to be heard.

23

This hearing is being held on Wednesday,

24

July 20th, at the Ambridge Center in Portland,

25

Oregon. The purpose is to receive public comment on

1 the U.S. EPA Proposed Cleanup for the Portland
2 Harbor Superfund site. Public notice of this
3 hearing was published in the Oregonian newspaper on
4 Wednesday, June 8th. The public comment period
5 began June 9th and runs through midnight, September
6 6, 2016.

7 Before we open the proceeding for
8 comments, I'd like to describe the process and
9 procedures to follow today so that you know how your
10 comments will be handled.

11 If you wish to provide comment and you
12 haven't already done so, make sure that you get a
13 comment card and give it to Rachel, in the back, and
14 she'll make sure that you get in the queue for
15 comments.

16 We would like to make sure that you are
17 respectful and courteous of views that will be
18 expressed today. This is a public hearing for the
19 Portland Harbor Superfund Site Proposed Cleanup
20 Plan.

21 I would like to introduce Martha Bean
22 again, from Tribal Associates, to describe the
23 process and ground rules for the hearing.

24 **EVENT HOST:** Well, I won't repeat what
25 you've already heard a couple different times, but I

1 will let you know that there's a video
2 presentation -- there's a video presentation online
3 should you need or want to review it again before
4 you make a comment. And, also, just to know that
5 it's best not to clap and such during someone's
6 comment time because then that slows us up and we
7 will have to stop in order to be out of room when
8 the meeting is over. So I do ask that you be
9 respectful of people's views in that way.

10 With that, I'd like to invite (b) (6)
11 to come up. And the way this works is you'll
12 be sitting with Kay there, and then it will be (b) (6)
13 -- I apologize if I demolish your names.
14 (b) (6).

15 **HEARING OFFICER:** And before you start, we
16 have a timer here to help you keep track of your
17 time. And so what I'd like you to do is -- yeah.
18 And you can move it a little closer to you.

19 So I want you to say your name and spell
20 it before I start the timer.

21 **SPEAKER 10:** My name is (b) (6)
22

23 The Willamette is one of Portland's
24 largest habitats, and it's so contaminated we have
25 to put up signs that warn people against eating too

1 much fish because the PCBs, DDT, lead, and mercury
2 and arsenic could prove disastrous to us for their
3 health.

4 The ospreys, great blue herons, otters,
5 beavers, Delta king fishers, bald eagles, and fish
6 species who depend on the river have no way of
7 knowing that just by living around the Superfund
8 site they face developmental and reproductive health
9 issues. It's their river as much as it's ours and
10 they have as much a right to a clean river as we do.

11 I'm here today because I am profoundly
12 disappointed in the EPA's cleanup plan, which seems
13 to prioritize the deep pockets of polluters over the
14 health of our community. They made this mess, now
15 it's their responsibility to effectively clean it
16 up. And yet the polluters seem to be getting off
17 easy while the community will continue to pay the
18 price with our health and our safety.

19 This is our once in a lifetime chance to
20 make a huge impact on our river. If we miss it no
21 one in this room will ever get another one.

22 Please stand with the public and give
23 Portland a substantially improved plan that removes
24 at least 1,000 acres of polluted sediment from the
25 river, stops relying so heavily on monitored natural

1 recovery, and takes the toxic dredge sediments to an
2 appropriate offsite landfill.

3 I live less than a quarter of a mile from
4 the Superfund site and I'm begging you, go back and
5 revise the plan and give Portland the river it
6 deserves. Thank you.

7 **HEARING OFFICER:** Thank you very much.

8 Again, I'd like to ask you to say your
9 name and spell it before I start the two-minute
10 timer.

11 **SPEAKER 20:** (b) (6)

12
13 Like thousands of Portlanders, I live
14 within a five-minute walk from the contaminated
15 Superfund site. It's a part of my community, and
16 this community deserves clean water and clean air,
17 the two basic building blocks essential for all life
18 on earth to survive.

19 I was devastated when the EPA released
20 this plan that seems to help the bank account of the
21 polluters more than it helps our rivers and
22 surrounding communities.

23 The Willamette cuts right through the
24 heart of our city, and yet the EPA's plan barely
25 scratches the surface, leaving 86 percent of the

1 site contaminated. Polluters like Chevron, Exxon,
2 ExxonMobil, Northwest Natural, and Schnitzel Steel
3 made our river toxic. Now, they should have to
4 clean it up.

5 I'm here to ask EPA for a plan that will
6 clean up at least 1,000 acres of sediment, bring
7 toxic dredge sediments to offsite landfills, and
8 stop relying on monitored natural recovery.

9 The contamination site has been there for
10 decades. It makes no sense to believe that the
11 river will all of a sudden naturally clean itself
12 up.

13 Improve the cleanup plan and advocate for
14 the people and wildlife who live here, not the
15 profits of the companies that made our river toxic.

16 And I'd also like to add that when I grew
17 up, I would make a mess in the house. And if I went
18 over to someone else's house and made a mess, before
19 I left I was advised, you need to clean that up.

20 It's not just the responsibility of a
21 parent to tell a child to clean it up, it's now the
22 EPA's responsibility to tell the businesses that
23 make the mess to clean it up. Thank you.

24 **HEARING OFFICER:** Thank you very much.

25 Thank you. Please say your name and spell

1 your name before I start the timer.

2 SPEAKER 3: (b) (6)

4 To start, I think Alternative I is
5 inadequate. What I'd prefer to see in the plan is a
6 plan that's formulated in the public's best
7 interest, not for the polluting corporations that
8 are at fault.

9 I want a plan that focuses on health in
10 the community and ecosystem, not one -- not a plan
11 whose extent is constrained by how much industry is
12 willing to pay. I want a plan that will lead to
13 lifting the fish advisory -- or fish consumption
14 advisory the short term. In ten years, not one that
15 puts up warning signs or institutional signs that do
16 not work.

17 I also want a plan that dredges and
18 removes a significant amount of the toxic sediment.
19 Much more than the 180 acres that it's currently
20 looking at, and not a plan that relies on the
21 current in time to wash away the toxins to another
22 place.

23 And what I really want is just a plan that
24 will make the river safe for the community and for
25 wildlife.

1 **EVENT HOST:** (b) (6)

2 [REDACTED]
3 [REDACTED] It's great if
4 you can come up and be in line. And we will just
5 keep zooming on through even if you're clapping.
6 And if you're clapping we might not be able to hear
7 what the person said.

8 **HEARING OFFICER:** Thank you for coming.
9 Please say your name and spell your name.

10 **SPEAKER 4:** My name is (b) (6)

11 [REDACTED]
12 I'm a Sellwood resident. I live just a
13 few feet from the river. I spend most of my time
14 there, kayaking, swimming, walking my dog, and
15 spending time with my friends. I also happen to be
16 a vice-chair of the local Surfrider Foundation. And
17 we are intent on keeping usability and clean
18 waterways throughout the Portland area.

19 In my opinion this proposed plan is simply
20 not acceptable. Thirty years is far too long to
21 achieve full usability of the river, as well as to
22 remove the fish advisory.

23 The uncertainty in this plan inherent to
24 the MMR is far too high. Natural recovery simply is
25 not a good option when we have unnatural pollution.

1 Allowing the current sediment to flow into the
2 Columbia and the ocean to pollute is far too risky,
3 it will take too long, and continue to pollute other
4 areas outside of Portland Harbor.

5 In my opinion the final plan should have
6 more active removal of contaminants, it should have
7 pollution control to prevent continued pollution.
8 It should also include plan for public access sites,
9 that includes the affected communities, and
10 safeguards to ensure that the cost goes directly to
11 the responsible parties, so none of the affected
12 communities that did not pollute are responsible for
13 paying for that pollution.

14 I highly advise that the EPA go back and
15 please revise this plan.

16 **HEARING OFFICER:** Thank you.

17 **SPEAKER 5:** Name and spell it?

18 **HEARING OFFICER:** Name and spell it.

19 **SPEAKER 5:** (b) (6)

20
21 I'm on, with (b) (6) the Executive Board
22 of the Portland Surfrider Foundation. We use the
23 river for recreating, swimming, boating, paddle
24 boarding, visiting the parks.

25 Access to clean rivers increases the

1 attraction of and economic activity in local
2 communities. I do not swim north of the Sellwood
3 Riverfront Park because of the current water
4 contamination. I believe that Alternate I -- that
5 the Alternate I plan fails to adequately clean up
6 the Portland study area.

7 Alternate I has an unacceptable level of
8 risk reduction at the end of completion. Too much
9 uncertainty exists in monitored natural recovery and
10 should not be used as a primary tool for cleaning up
11 heavy pollutants.

12 A 30-year cleanup plan duration exposes
13 the public and the environment to health hazards for
14 too long. I look forward to seeing a revised plan.

15 **HEARING OFFICER:** Thank you very much.

16 **SPEAKER 6:** My name is (b) (6) .

17 **HEARING OFFICER:** Could you spell your
18 name, please?

19 **SPEAKER 6:** (b) (6) . So,
20 removal of the major portion of contamination by
21 dredging is not in this proposed plan. (Inaudible)
22 167 acres and realized overwhelming (inaudible)
23 natural recovery, which also is going to do nothing
24 and reach nothing.

25 So, estimates of a thousand acres of

1 removal would look good. So if we have a
2 neighborhood and we're really concerned during the
3 active cleanup that air, water, noise, and light
4 quality are monitored, and quick turn around or
5 adjustment surveyed to protect the fish, wildlife,
6 workers, or impacted neighborhoods.

7 So we must have a cleanup that ends in
8 healthy fish population and so the current fish
9 consumption advisories such as the river can be done
10 quickly. We should hold strong to the polluters
11 pay, not the taxpayers.

12 And all local, state, and federal
13 authorities should coordinate together in the
14 overall riverways and treat upland and upriver
15 pollutant sources and protect the river for all
16 citizens and wildlife. And that includes DEQ.

17 Again, I live in the Linnton neighborhood,
18 which the know the Linnton Bridge has 95 percent of
19 the field sources all located in liquefiable soils.
20 Nothing has been done to assure that that will not
21 go back into the river and contaminate the river.

22 So I think the EPA should have stronger
23 requirements for DEQ to make assurances that the
24 river will not be recontaminated.

25 **HEARING OFFICER:** Thank you very much.

1 Would you say your name and spell your
2 name before I start your two minutes, please?

3 SPEAKER 7: (b) (6)

4 I'm here today with the Portland Harbor
5 Community Coalition, and my daughter (b) (6), who is 15
6 months old.

7 I guess I'm saddened, I'm disappointed, I
8 feel ashamed, honestly, that EPA Region 10 is not
9 reflecting what the public wants in this proposed
10 plan. And we have worked with EPA over the last
11 several years and hope to continue to work with EPA.
12 But to what end?

13 It does not feel productive to continue to
14 work with EPA if EPA is not reflecting what the
15 public wants. To be able to consume the fish, the
16 resident fish of the Portland Harbor, and for me to
17 be able to nurse my baby and to not fear that if I
18 eat one of those fish ever that she will have
19 irreversible brain damage.

20 Her family and my family don't live in
21 North Portland, they live in Hubbard and Woodburn.
22 They still fish out of the Portland Harbor. They
23 come all the way up from Hubbard, Oregon to fish in
24 the Portland Harbor, resident fish.

25 After I presented them with the fish

1 advisory warnings, the young -- one of the youngest
2 cousins of (b) (6) refuses to eat fish ever again, and
3 it's a tradition of the people that put up -- to the
4 people who are from the Sisseton Wahpeton to eat
5 fish in their ceremonies. It's very important to
6 them.

7 So this is the tragedy that we're faced
8 with. And I really hope that EPA, the ten folks,
9 come up with the willpower to come up with an
10 alternative that's not on the list but perhaps that
11 really reflects what the people in this audience and
12 beyond want. Thank you.

13 **EVENT HOST:** Okay. Next we have (b) (6)

14 [REDACTED]
15 [REDACTED]
16 **HEARING OFFICER:** Thank you. Can you
17 please say your name and spell your name before I
18 start the timer for two minutes.

19 **SPEAKER 8:** (b) (6)

20 [REDACTED]
21 The early American settlers stole the
22 Portland Harbor from Multnomah Indians and thousands
23 of other Native American people that travel through
24 the valley.

25 Industry heads still waiver in health by

1 African-American shipyard workers whose families
2 were simultaneously segregated, redlined, and moved,
3 moved, moved again, all being exposed to air and
4 water toxins.

5 Other working class people like my own
6 family members have also paid dearly for their time
7 working in the shipyards. And now, those who can't
8 afford food because of rising rents are eating toxic
9 fish, and those who can't afford rent are living in
10 lead and arsenic-laced soil and are at risk of being
11 pushed even further to the margins as the cleanup
12 process unfolds.

13 Many of those profiting off of rents today
14 at the expense of our brothers' and sisters' lives
15 got into the property business with money they and
16 their fathers made in the city's industrial heyday.

17 Others are profiting off of fossil fuel
18 exploitation at the expense of our collective and
19 individual well-being locally and far away. We're
20 talking about big names. Chevron, Schnitzer Steel,
21 Toyota, hundreds of others -- over a hundred others.

22 In other words, companies that
23 collectively made billions of dollars a year have
24 profited at the expense of people who have suffered
25 from centuries of slow violence, diseased

1 disposition, and displacement.

2 I realize the EPA has little to no
3 understanding, real understanding of these
4 historical layers of environmental injustice given
5 that no environmental injustice analysis was
6 conducted for the Portland Harbor. I also realize
7 that the EPA has an abysmal record of upholding EJ
8 statutes elsewhere, even when officials are aware of
9 what's going on.

10 Nevertheless, I'm testifying today in
11 solidarity with impacted communities, demanding a
12 fully cleaned up Portland Harbor so that our
13 children, like my nine-month-old son, will not be
14 poisoned.

15 We demand land for impacted communities to
16 use for housing, gardens, learning, and more. We
17 demand housing justice, including funds for anyone
18 displaced by the cleanup. We demand long-term
19 family wage jobs for local residents from impacted
20 communities. We demand emissions filters,
21 transport, and disposal of toxins in a way that does
22 not jeopardize the health and safety of people and
23 wildlife.

24 We demand the removal of all highly and
25 moderately contaminated sediment regardless of costs

1 to polluters so the fish are safe for everyone to
2 eat.

3 (Speaker 9 was Spanish-speaking and will be
4 translated separately.)

5 **HEARING OFFICER:** Thank you. Please say
6 your name and spell it.

7 **SPEAKER 10:** My name is (b) (6)
8 [REDACTED]

9 I'm here to demand a stronger cleanup plan
10 from the EPA. I've lived in Portland for 15 years
11 and have built a strong community here. Not a
12 single person I know has ever experienced a clean
13 Willamette River.

14 Portland residents have patiently waited
15 16 long years for the EPA to come up with a sound,
16 scientific plan that would clean up our river enough
17 for residents to be able to enjoy the benefits of a
18 waterway corridor flowing through our community.

19 We have waited for a solution to the toxic
20 habitat that the wildlife residents of Portland
21 depend on.

22 What we were given on June 8th was a slap
23 in the face. EPA's Draft Cleanup Plan leaves far
24 too much of the river contaminated. The plan as it
25 is currently written relies largely on monitored

1 natural recovery, a do-nothing strategy that leaves
2 pollution in the river in the hopes that it will
3 either be covered over or flushed downstream.

4 This has been the strategy in place for
5 the last 16 years, and given that time we can see
6 that not much natural recovery has taken place.

7 The toxicity of the river is not the fault
8 of the Portland communities but of businesses
9 exploiting Portland's resources and its residences.

10 Those businesses responsible are
11 financially liable to fix this disaster in its
12 entirety. Entities with liability for the pollution
13 must be held accountable and for a comprehensive
14 cleanup that will protect the health of our
15 communities, our environment, and our wildlife.

16 Portland residents deserve and demand at
17 least a thousand acres of polluted sediment be
18 removed from the river, enough to lift the fish
19 advisories forever.

20 This plan is insane. I mean, the people
21 who wrote this plan, do you live in Portland? I'm
22 just -- I'm appalled at what is going on. Portland
23 residents need this river cleaned up 100 percent.
24 Thank you.

25 **HEARING OFFICER:** Thank you. Please say

1 your name and spell your name.

2 SPEAKER 11: Hi. I'm (b) (6) and I'm
3 president of SCIU 503. We're the largest labor
4 union in Oregon. And that's (b) (6) And we
5 represent thousands of members affected by the
6 contamination of the Portland Harbor.

7 The residents of Portland, especially
8 those most adversely affected by this long ongoing
9 environmental hazard and the cause are due an
10 immediate and complete cleanup effort. And that
11 effort and outcome should not be compromised by
12 money, and the funding should come substantially
13 from those who should be held -- by all rights
14 should be held accountable, the corporations
15 responsible for the contaminations.

16 Any strategies and practices for removal
17 and relocation of these contaminants should ensure
18 they are so far removed and contained so there is
19 never any chance of recontamination.

20 As part of just recompense for those that
21 have suffered the most, the people in those
22 communities most adversely affected over the years
23 by the pollution should have priority access and
24 opportunity to jobs and economic benefits that
25 result from the cleanup.

1 I also ask the EPA to add another 120 days
2 onto the public comment period to accommodate those
3 affected who are out of the area for the season.

4 **HEARING OFFICER:** Thank you. Please say
5 your name and spell your name before I start the
6 timer.

7 **THE WITNESS:** My name is (b) (6)

8
9 **HEARING OFFICER:** Thank you. Please go
10 ahead.

11 **SPEAKER 12:** Thank you for the opportunity
12 to given a nurse's perspective and speak to the
13 serious health concerns about the plans for the
14 future Willamette River Portland Harbor Superfund
15 Site.

16 I've had decades of experience as a
17 clinical RN and a nurse educator. From your first
18 day in nursing school you are taught prevention is
19 the cornerstone of public health.

20 We have a known serious public health
21 threat from PCBs in our beautiful but toxic
22 Willamette River. This current danger must be
23 removed and future injury prevented.

24 In 1976, the Toxic Substance Control Act
25 gives you, the EPA, authority to restrict PCBs from

1 our environment. The current plan does not provide
2 an adequate level of protection from the known
3 health risks to our citizens from PCBs.

4 Literature provides abundant documentation
5 of the health-related problems from PCBs. Infants
6 are exposed to PCBs through breast milk, and even
7 before birth through transplacental transfer.

8 As far back as 1996, The New England
9 Journal of Medicine reported intellectual impairment
10 of children exposed to PCBs, with lower cognitive
11 ability, immune compromise, and motor control
12 problems.

13 In 2013, the International Agency for
14 Research on Cancer reported evidence supporting
15 cancer-causing effects from PCBs. Adults can suffer
16 from severe hormonal disruption which affects
17 metabolism and reduced immunity.

18 The facts are clear, and this minimal
19 cleanup will not protect our citizens. I urge you
20 to expand this cleanup to Option G. Thank you for
21 your service, and please consider a real cleanup and
22 protect our citizens.

23 **HEARING OFFICER:** Thank you. Please say
24 your name and spell it.

25 **SPEAKER 13:** Good evening. My name is

1 (b) (6) I'd like
2 to thank you for taking our comments this evening.

3 I'm here tonight because I enjoy the
4 natural resources and the beauty of the Northwest
5 every day, and I want to assure that future
6 generations will have the same opportunity
7 regardless of their wealth, ethnicity, or race.

8 Prior to retiring I worked with
9 adolescents who reported in increasing number that
10 they had asthma and were required to use inhalers.
11 While I have no hard data to trace the causes of
12 this increasing number. It is what it is, an
13 increasing number.

14 We have been hearing about the poor
15 quality of air that residents of Portland are
16 breathing and findings that the water students are
17 drinking in schools are contaminated.

18 How is this not a contributor to the
19 increasing asthma and other poor health conditions
20 that we are seeing?

21 Dr. (b) (6) recently reviewed the
22 proposed plan and stated that, quote, "Atmospheric
23 release of PCBs is not included in any part of the
24 EPA analysis or the proposed plan.

25 "Recent research confirms that PCBs can be

1 released into the air, that air can be a source of
2 human exposure, and that exposure by inhalation can
3 cause harmful health effects in people.

4 "Contaminants left in the river will
5 largely remain for the foreseeable future. PCBs,
6 dioxins, DDX, and metals will not degrade." End
7 quote.

8 Who is looking out for future generations
9 if not us? How can we justify overlooking their
10 future health and safety. This plan leaves a
11 substantial amount of contaminants in the river and
12 does not estimate the massive chemicals remaining.

13 We need to do the right thing for future
14 generations, and that begins with this Superfund
15 plan. If it is within our ability to make a cleaner
16 environment, why don't we do it, why don't we do it
17 now, please.

18 **HEARING OFFICER:** Thank you.

19 Welcome. Thank you. Please say your name
20 and spell it and then I'll set the timer for two
21 minutes.

22 **SPEAKER 14:** My name is(b) (6)

23 I need to be able to eat
24 fish from our river and I need to be able to swim in
25 our river.

1 The polluters need to pay for the damage
2 they've done to the rivers and to the sea animals in
3 the rivers. Thank you.

4 **HEARING OFFICER:** Thank you. Please say
5 your name and spell it.

6 SPEAKER 15: My name is (b) (6)

7 I'm the Conservation
8 Director for the Audubon Society of Portland.

9 Superfund, as a polluter, pays a lot.
10 This is a public pays plan. The public is going to
11 pay with the health of our communities, the health
12 of our families, the health of our river, lack of
13 recreational access to our river. They paid for a
14 long time. No one in this room has ever experienced
15 a healthy river. And if this plan goes forward,
16 most of us never will experience a healthy river.

17 The people who have the lease are going to
18 pay the most, because they're the ones that are most
19 dependent on the river. And the corporations that
20 have the most are being let off the hook.

21 The EPA's plan basically isn't a plan. It
22 leaves most of our river contaminated. The EPA is
23 going to make our river safe by putting up signs to
24 tell people our river isn't safe.

25 You know that doesn't work. Your signs

1 have never worked. You can go down to the river any
2 day of the week and see them not working. You can
3 see people in areas next to signs that say don't go
4 here because it's hazardous to your health go in
5 there. You can see people fishing next to signs
6 that say don't eat the fish because they're
7 hazardous to their health, and they're there
8 fishing.

9 How many times can you go down to the
10 river and see that your plan isn't working and
11 continue to use that plan? It is time to clean up
12 our river.

13 I'm tired of the shell game that goes on
14 between EPA and DEQ. The uploads are connected to
15 our river. We ought to be able to come here tonight
16 and get answers when I ask a question like, is it
17 safe to go to Willamette Cove? I don't know, go ask
18 another agency.

19 EPA has ultimate responsibility for making
20 sure our river is clean and safe. We've waited an
21 awful long time for a clean river, but this is a
22 plan that basically serves Exxon and other corporate
23 entities. It does not serve our communities. It's
24 time for the EPA to step up and clean up our river.

25 **HEARING OFFICER:** Thank you.

1 SPEAKER 16: Good evening. My name is

2 (b) (6)

3 .

4 I have lived in Oregon since 1973, and I
5 hold our former governor, Tom McCall, in high
6 esteem, because he spearheaded the cleanup of the
7 Willamette for many years of industrial pollution,
8 sewage, and plain waste.

9 It was a different kind of waste. It was
10 organic waste. What we're facing here is chemicals
11 and heavy metals.

12 I do not support cleaning up eight percent
13 of the toxic sediments, dumping them someplace else
14 in the river, and hoping that everything will go
15 right with a cap.

16 The 30-year time frame easily exceeds my
17 life span, however, I acknowledge that when the
18 congress defunded the Superfund, which was set up to
19 help clean up these sites, and left in the lap of
20 the EPA the task to craft compromises and fund it
21 with public participation, I am willing to pay my
22 fair share to make sure the job's done right.

23 Why should we spend millions for something
24 so pitiful. Please listen to the task force that
25 has watched this for a decade or more, and is in the

1 best position to give technical advice on how many
2 acres, what should be cleaned, where it should be
3 dumped, and for Heaven sakes do not dump it back in
4 the river someplace else. What a crazy idea.

5 We deserve clean water, the next
6 generations deserve clean water, we may depend on
7 clean water in our river in the future. Thank you.

8 **MS. BEAN:** Okay. The next will be (b) (6)

■ [REDACTED]
■ [REDACTED] And I'd like to remind you, if you'd like
11 to speak, these long cards actually go back to
12 Rachel in the back so we can get you in the queue.
13 Thank you.

14 **HEARING OFFICER:** Thank you. Please say
15 your name and spell your name before I start the
16 timer.

17 **SPEAKER 17:** My name is (b) (6)

■ [REDACTED].

19 I'm here as a concerned citizen of
20 Portland. I echo the comments that everyone has
21 made here today, this evening primarily, about the
22 dangers of fish consumption from the river, about
23 the wants of being able to use this area for
24 recreational use, and about the concerns for
25 wildlife in the river.

1 I want you to look at me and see that I'm
2 young and I am healthy. And 30 years from now I
3 will be 61. I hope that there's a solution that can
4 help make this river safer sooner.

5 I also have other comments that the public
6 is willing to pay their fair share to help this
7 river be cleaner sooner, but we do want to hold the
8 polluters accountable, and that they should also pay
9 the City their share. Thank you.

10 **HEARING OFFICER:** Thank you. Please say
11 your name and spell it and then I'll start the
12 timer.

13 SPEAKER 18: (b) (6)

15 I represent Willamette Riverkeeper,
16 although I will be providing formal comment -- I
17 guess expanded formal comment towards the end of
18 this comment period.

19 From our perspective the plan is
20 insufficient. And I've gotten to work with EPA for
21 the last 15 years, and when I saw them for the first
22 time I was actually pretty shocked.

23 And I think EPA has a real opportunity in
24 this process to do better. I think with the Record
25 of Decision, also known as the Final Cleanup Plan,

1 that we hope to see by the end of the year, there
2 will be an opportunity for EPA to step up and not
3 fall under the demands of congressional pressure,
4 not fall for the pressure of lobbyists in D.C. that
5 represent some of the potentially responsible
6 parties, folks who may even be in this room tonight,
7 who constantly have the ear of the EPA in D.C.

8 I think -- and I'm not questioning the
9 professional integrity of the good folks I've worked
10 with for years now. I would say I think that in my
11 experience the EPA has been very professional and
12 has provided a lot of information to the community
13 over the years. That's why I'm a little mystified
14 that this plan that's at issue is so weak.

15 I think there's a very real opportunity
16 for EPA to do the right thing by the Willamette
17 River, to do the right thing for the people who use
18 the river, and for the wildlife that use the river,
19 and have no dredging of contaminated sediment, have
20 less monitored natural recovery, and to do a better
21 job explaining to people why they are making the
22 choices that they're making.

23 And one thing I would just point out
24 tonight, I would say this initial section explaining
25 the process to the community was riddled with

1 vernacular that is only known to a few people,
2 relatively speaking.

3 So I hope as we move on we can talk more
4 about the PCBs that are in the Willamette, how much
5 more you're going to remove that is the current
6 draft plan, how much more you're going to
7 permanently take away from fish and wildlife, and
8 have much more eliminated from exposure to people
9 over time.

10 So I appreciate the opportunity to make
11 those comments. Thank you.

12 **HEARING OFFICER:** Thank you, sir.

13 **SPEAKER 19:** Hello. I'm (b) (6)

14
15 And I am here because I'm a river hugger.
16 I'm one of the group of people maybe of questionable
17 sanity, I don't know, that jumps in and swims across
18 the river at the Hawthorne Bridge three or four
19 times a week. And it's great. It's a wonderful,
20 joyful Portland thing to do, and I love it.

21 And one of the things that we -- it's
22 impossible to do that without worrying about health
23 risks of being in the river, or spending that much
24 time in the river. And it's apparent when you're
25 out there swimming that -- sometimes we comfort

1 ourselves that we're all the way at the Hawthorne
2 Bridge, we're not in the Superfund Site.

3 But it's very apparent that the current
4 goes both ways. And when the tide is high at the
5 coast, the current goes up river.

6 And we also comfort ourselves knowing that
7 a lot of the concerning chemicals that are in the
8 river are in the sediments. And so when we're close
9 to the edge I try not to put my feet in the muck.
10 But it's there.

11 And I think that it's magical thinking to
12 assume that if I swim fast enough that I'll be able
13 to stay safe from all of that.

14 I am -- I really feel passionately that
15 this is our river, that this river belongs to the
16 people of Portland, and that we have an amazing
17 opportunity now to really clean it up to standards
18 that would -- what? Two minutes are up?

19 **HEARING OFFICER:** Please be willing to put
20 your comments in writing. Thank you so much.

21 **SPEAKER 19:** I will. All right. Thank
22 you.

23 **HEARING OFFICER:** Please say your name and
24 spell it, and then I'll start the timer.

25 **SPEAKER 20:** (b) (6) [REDACTED] [REDACTED]

1 (b) (6) .

2 I am Cheyenne Lakota, I'm enrolled Pine
3 Ridge in Lakota, South Dakota. I am representing
4 the Native American Youth and Family Center. We
5 represent many, many, many indigenous people, not
6 only natives but other peoples through that. So we
7 are some of the most affected.

8 Quickly, 120 days is what we're asking in
9 extended, on top of what we have, another 120 days.
10 We have no time to translate this stuff, to get our
11 experts going. So what it's worth, I think it's
12 vastly unfair that we don't have that time to
13 prepare and help you with this.

14 We can't find anything in this plan that
15 we like. I'm sorry. We need to redo that. We
16 also -- for brevity, we also support every bit of
17 what the Portland Harbor community has come up with
18 in their points for this.

19 But in a large sense, you know, we're also
20 looking for more money for you to do enforcement,
21 the legislation. And we're also looking for coves
22 that don't let this happen. We're looking for a lot
23 of things to make sure this doesn't happen.

24 We want a complete and utter cleanup. Our
25 women are born with every egg they have. We know

1 that these toxins change the genetic makeup of those
2 eggs, as it does in any other living thing in that
3 river.

4 If affects -- our canoe families cannot go
5 to Cathedral Park anymore because of the damage it's
6 doing to our children.

7 We are spiritually tied to that. We need
8 to start looking in the 7th generation and beyond.
9 We can't be looking towards the end of the quarter
10 for these things. We want these things paid for by
11 the people who paid for them -- by the people who
12 polluted for them. And we expect -- you know, we
13 expect better. And we want to help you do that.

14 We realize that you're an agency that
15 depends on economy and so forth. And we want to
16 make this an economy here -- we want these people to
17 be cleaning up and getting those jobs. We want to
18 make sure that the same people who are working there
19 aren't going to die from this. We want long term.
20 Thank you.

21 **HEARING OFFICER:** Thank you so much.

22 Would you say your name and spell your
23 name?

24 SPEAKER 21: (b) (6)

I have lived in Portland all my

1 life and recreating and fishing in the Willamette
2 River is always unheard of to me. But I realize now
3 many people rely on fish from the Willamette.

4 Just yesterday I went on a tour about the
5 Superfund Site, and when we came back there was a
6 kid and his family fishing off the docks.

7 And, yeah, it was just kind of weird
8 seeing that after hearing about the Superfund Site
9 and whatnot.

10 Yeah. I took environmental science in
11 high school. I work on Groundwater of Portland's
12 Green Team to help remediate groundwater fields
13 around the city. So I have little bit of experience
14 with remediation plans and whatnot. And I've
15 learned from my time with ground work remediation
16 cleanup plan can be intensive and that more work and
17 resources we put into cleaning the site the cleaner
18 it becomes.

19 And with this plan I just see little
20 sacrifice and little gain. There's lots of
21 uncertainty. Even when human health and the
22 consumption of resident fish are parts of the EPA's
23 basis for action at the Superfund Site.

24 I just want a stronger remediation plan
25 that takes that into consideration.

1 **HEARING OFFICER:** Thank you.

2 SPEAKER 22: My name is (b) (6)

3 [REDACTED] as in (b) (6) . I came to
4 Portland in 1970 from a polluted area of Southern
5 California, and this looked beautiful, alas.

6 I'm here tonight because when I went to
7 buy a bag of sand from Ross Island Sand and Railroad
8 to put in the box when the grandkids were coming
9 last summer the secretaries did me the kindness of
10 warning me not to buy their sand.

11 We're just finishing cleaning up the
12 city -- Portland has a long tradition of benefiting
13 the people who run the city and the industrial
14 people. We're just finishing repairing the Sellwood
15 Bridge that was built after half the money was
16 absconded with.

17 It's not fair that we have to be cleaning
18 up, but we're cleaning up for our grandchildren.
19 This plan is not strong enough. It needs to have
20 more -- more polluted soils and sediments removed,
21 and for God's sake not sold to somebody who wants to
22 use them to expand their coal export base down on
23 the Columbia. For Heaven sakes.

24 Let us know what we can do. I mean, we
25 need more time for comments, for people to look at

1 it, because this is summer and a lot of folks are
2 gone. And we need to know who to write to to get
3 the funding better, and we need to do what we can to
4 support you, to make the people who did this mess
5 pay. I hope everybody here is registered to vote.
6 Thank you. And thank you for trying. But let's do
7 this better.

8 **HEARING OFFICER:** Thank you.

9 **SPEAKER 23:** Hello. My name is (b) (6)

in (b) (6)

. I'm a member of the Portland Harbor Citizen
12 Advisory Group, a new member. But I've been
13 following them around for three years now. And I've
14 learned a lot about the CERPA process.

15 The proposed plan is not adequate to
16 preserve human health. Alternative I does not
17 preserve human health. I do believe that the
18 process was started because of the threat to human
19 health.

20 There are 64 contaminants of concern in
21 the water. Surface water between River Mile 6 and
22 River Mile 7.5 has poisoned water. That is
23 Willamette Cove. It is in front of Gasco and
24 Arkema. So not just in the sediment.

25 So, yeah. So the proposed plan, on page

1 49, an evaluation of alternatives and how they can
2 comply with the remedial action is listed.

3 The long-term effectiveness of the options
4 is stated, starting on page 49. RAO 9 says that
5 Alternative I does not achieve carcinogenic risk
6 targets. RAO 2 says only Option G achieves the
7 targets.

8 RAO 3 doesn't -- I won't go into that.

9 RAO 4 says the residential -- the residual
10 risk of poor water won't be affected by any of the
11 alternatives, but G comes close.

12 RAO 5 says that benefit organisms, those
13 in the sand, and deals with sediment, says that G
14 comes close of the options. I is the third best.

15 ROA 7 goes unaddressed pretty much in the
16 proposed plan.

17 RAO 9, the effectiveness of the
18 alternatives on the banks of the river goes from B,
19 D, I, F, and G. G being the best.

20 **HEARING OFFICER:** Thank you very much for
21 your comments. Please consider putting them in
22 writing.

23 Welcome. Please say your name and spell
24 it, and then I'll start the timer.

25 **SPEAKER 24:** All right.

1 (b) (6)

2 A love to ride my bike along the river.
3 As I move further north I can see how industries
4 have started to make efforts to make better choices.
5 But there are many who have not participated.

6 In the past they've made many poor
7 decisions, and I believe they need to be made
8 accountable for these decisions. I believe it will
9 make no sense to just get them off the hook, while
10 just a more thorough cleanup will be needed later.

11 The current plan does not account for
12 these issues, such as being able to actually fish
13 from the river.

14 I represent the Portland Groundwater Green
15 Team. It's a group of youth that work to, you know,
16 really be a part of this environmental movement and
17 try to make a change in the world.

18 I can see a lot of opportunities for this
19 cleanup. It can provide jobs for the long term to
20 my generation and many future generations.

21 It will also give a chance for the people
22 who are most affected by this a chance to live by
23 the water if they need to and fish from the water if
24 they need to. Thank you very much.

25 **HEARING OFFICER:** Thank you.

1 Please say your name and spell your name.

2 SPEAKER 23: My name is (b) (6)

4 So I guess the main thing I want to say --
5 put in the record today is that when I hear EPA's
6 statement about why they support this plan, they
7 seem to say that, well it just barely meets the
8 requirements of -- they're meeting statutory
9 obligations. I don't think that's the correct way
10 to approach this cleanup.

11 I think that the reason the river needs to
12 be cleaned is because a river with pollution in it
13 is going to be poisoning the environment and the
14 people who rely on it. So I think the cleanup
15 should actually take its primary direction from
16 those who have been most harmed by the pollution of
17 the river. And that I think first and foremost is
18 the tribes who've relied on it, who have lived here
19 since the time of memorial.

20 And the treaties that have been signed
21 with those tribes prioritized access to traditional
22 foods. And they would never have signed those
23 treaties without that access.

24 And those treaties are in Constitutional
25 law. So that actually supercedes Circla. So I

1 think EPA needs to really humble itself before the
2 advice and the direction of those tribes. And if
3 they say the cleanup is inadequate, which they have,
4 then it's inadequate. And that needs to be really
5 taken very seriously.

6 And EPA should go back to the drawing
7 board to actually cleaning as much as they're
8 asking.

9 Yakima Nation, as well as a representative
10 from NAYA, (b) (6), who was just here, say that
11 this cleanup plan represents a violation of their
12 treaty rights, civil rights, and human rights. And
13 that is a very serious charge. I think EPA needs to
14 actually reflect on that and then come back with a
15 plan that meets their qualifications, that actually
16 would provide the diet and the clean food from this
17 river that they are requiring. Thank you.

18 **HEARING OFFICER:** Thank you.

19 **SPEAKER 25:** My name is (b) (6)

20 I'm an organizer
21 for PHCC, the Portland Harbor Community Coalition,
22 as well as Collective Care Services. I was born in
23 Portland, Oregon in 1975. Over the years I have
24 watched the contamination take place of that river.
25 And it's interesting that we have to take a look at

1 the City of Portland actually permitted for this
2 pollution to take place.

3 It's the way business has been set up,
4 there have been many companies that have profited in
5 the hundreds of millions, that's being allowed to
6 dump their trash into the river, and now it's time
7 for that cleanup to take place and be comprehensive.

8 The truth is, it's going take every man,
9 woman, and child in the Portland Metropolitan area
10 to rethink water usage, to rethink the
11 infrastructure that they want, and an ongoing
12 process of filtration in order to actually clean
13 this river in any way, shape possible to have it be
14 anywhere near healthy for us to eat the fish out of,
15 also to be able to swim and use recreationally.

16 In 1942, a little city named Vanport, also
17 known as Kaiserville, that developed in order to
18 meet the needs for World War II. And that
19 community, under mysterious circumstances, when the
20 levies broke, similar to Katrina, flushed out the
21 shipyards pollution quite a bit, and also a little
22 town that was the most diverse town in the United
23 States of America at that time.

24 And here we are today in 2016 aiming to
25 clean up this river. And the money is there, so we

1 don't need to play any games with this cleanup. We
2 need another 120 days at a bare minimum to let the
3 citizens know what's taking place while they're not
4 looking. And this \$750 million plant to clean up at
5 least a \$2 billion project is insane. And I thank
6 the EPA for actually holding up these hearings, but
7 let's quit making this so complicated, so difficult
8 to understand, so activity based that common people
9 can't understand that if the river was polluted for
10 120 years, we need at least 120 days to be able to
11 comment further on this subject.

12 **HEARING OFFICER:** Thank you very much.

13 Thank you. Please say your name and spell
14 it, and then I'll start the timer.

15 **SPEAKER 26:** (b) (6)

16
17 My preferred plan is H, G at a bare
18 minimum. If monitored natural recovery was
19 effective we wouldn't have a Superfund Site today.
20 M and R is not a technology. I'm concerned that DEQ
21 is not an active partner in cleanup on shores
22 connected with the river.

23 Lastly, a lack of leadership is what
24 brought us here today. My great-grandfather was a
25 Portland leader. In fact, other leaders in that

1 other era failed us. It is unacceptable to continue
2 to pass the buck on to future generations.

3 It's time to deal with the toxic burdens
4 that we have had for the last 120 years. And EPA,
5 it's your responsibility to take the lead. So
6 please take the lead. We will support you. Thank
7 you.

8 **HEARING OFFICER:** Thank you. Please say
9 your name and spell it.

10 **SPEAKER 27:** My name is (b) (6)
[REDACTED]

12 I'd like to thank you for the opportunity
13 to comment. I hope that you will extend the public
14 comment period so more people can participate. It's
15 such an important thing, and it's summertime, and
16 it's a very narrow window that the EPA has left for
17 comments. So I'm hoping that, first off, you'll
18 extend the time so people can process this and come
19 to the table and have the opportunity to comment.
20 Because I think people care deeply about this. I
21 know I do.

22 I'd like to say that I think it's very
23 important that we get the place cleaned up to the
24 point that we can recreate comfortably and safely in
25 it. I think it's really important we get the river

1 cleaned up to the point where we can safely eat fish
2 from it.

3 I think the fact that we can't do both of
4 those is, quite frankly, an appalling thing. It's,
5 you know, a legacy left by industrial polluters for
6 decades. I think the plan needs to include very
7 stringent rules to hold those people who did that
8 pollution accountable for the costs of the cleanup.

9 I think we need more money put toward the
10 entire plan and more effective solutions. I think
11 the plan options are wholly inadequate.

12 And so I'm hoping that the EPA will step
13 back and realize that you have a community here who
14 cares deeply about it, and see this as an
15 opportunity to give us a real cleanup, where we can
16 eat the fish, we can recreate on it, and the tribes
17 will be happy with the outcome as well as the
18 general citizens here.

19 I think it's very important that we hold
20 the people who are still here, including the City of
21 Portland who allowed this to happen, financially
22 responsible. I'd like to strongly urge the EPA to
23 include that in part of the plan.

24 And thanks for the opportunity to comment.
25 I hope we'll open it up to more people for a longer

1 length of public comment period. Thank you.

2 **HEARING OFFICER:** Thank you.

3 **SPEAKER 28:** Good evening. My name is

4 (b) (6) I've lived in Portland
5 for 28 years, I've seen a lot of things change since
6 I've been here.

7 I would like the EPA to encourage the
8 large companies that will be making millions of
9 dollars coming into Portland, as well as the large
10 industries here that will be working on the project,
11 require them to provide apprenticeships and job
12 training for local community members.

13 I've worked on projects in a city outside
14 of Portland, where the City went into contract with
15 the large companies and required them to provide
16 apprenticeships and internships, that would focus on
17 low income people, people of color, and women, and
18 underrepresented people.

19 I would also like to see the industries
20 along the river -- and I was a member of the River
21 Renaissance Committee years ago -- to require them
22 to put money into a fund that would support this job
23 training.

24 I think these are very basic environmental
25 justice principles where the benefits and the

1 burdens of the action are equitable. So it's
2 important for the community people to benefit.
3 Thank you.

4 **HEARING OFFICER:** Thank you.

5 Please state your name and spell it, and
6 then I'll start the timer.

7 SPEAKER 29: (b) (6)

8
9 I'm the Chair of the Portland Harbor
10 Community Advisory Group. And I wasn't going to add
11 any additional comments today just because we are
12 preparing written comments that we'll be submitting
13 to EPA, and that will take a lot more than two
14 minutes to go over the details of what will be in
15 that.

16 But I did want to just mention as kind of
17 a final comment today that even for those of us who
18 have been active in this process for the last 15
19 years, keeping track of what all is being done,
20 looking at all the studies, and learning everything
21 along the way, it is a very big plan to review, look
22 through, and consider all the details, and consider
23 all the things that have been developed and studied
24 that have gone into this.

25 So it's good that we extended -- that you

1 extended the comment period to 90 days. That
2 definitely helps. A longer comment period would be
3 even better.

4 But it's an important recognition of the
5 fact that this is an extremely complex proposal to
6 review and get comments back from the public on.

7 And over the years I've talked with
8 hundreds of people, if not thousands, about this,
9 and two things really come out in the end in our
10 discussions.

11 One is, people want to see the Willamette
12 River cleaned up enough so that the fish advisory
13 that's specific to this part of the river can be
14 removed. So that we don't have to tell people, no,
15 don't eat the carp that is in this section of the
16 river because they're unhealthy for you.

17 And the other piece of it that comes out
18 is really emphasizing that we need a long-term
19 solution to the cleanup. Not something that several
20 years down the road will result in recontamination
21 and just leaves that risk there.

22 So those are the two main points. We'll
23 be submitting a lot more in written comments .

24 **HEARING OFFICER:** Thank you.

25 **EVENT HOST:** The doors close at 8:30. So

1 that means there's still time for you to talk to the
2 EPA folk. And I will have an official close to the
3 hearing, because that needs to happen. But I also
4 just want to personally thank you for being here.
5 And I always speak on behalf of my colleagues here
6 as well.

7 Thank you so much. Be sure remember --
8 I'm sure you know, there are lots of other ways to
9 comment. Please do.

10 I believe the hearing needs to officially
11 close, so we'll go ahead and do that.

12 **HEARING OFFICER:** I officially close the
13 hearing.

14 (The public hearing adjourned at 8:10 p.m.)

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C E R T I F I C A T E

I, Cheryl L. Vorhees, Certified Shorthand Reporter for Oregon and Washington, certify that, at the time and place set forth in the caption hereof, I reported in stenotype all testimony adduced and other oral proceedings had in the foregoing matter, that thereafter my notes were reduced to typewriting under my direction; and the foregoing transcript, Page 1 to 48, both inclusive, constitutes a full, true and correct record of such testimony adduced and oral proceedings had and of the whole thereof.

Witness my hand and seal at Portland, Oregon, this 1st day of August, 2016.

Cheryl L. Vorhees
Certified Shorthand Reporter
CSR No. 08-0409
Exp. 09-30-2016